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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Anthony P. Peirce, et al.

) Attorney Docket No:
56.0468

RECEIVED

Serial No.: 09/301,961

) Group Art Unit: 2123

JUL 03 2003

Filed: April 4, 1999

) Examiner: Day, Herng-Der

Technology Center 2100

For: Method and Apparatus for
Hydraulic Fracturing Analysis and
Design

)

)

RESPONSE TO OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Sir

(A) Introductory Comments

This paper is filed in response to the First Office Action dated February 26th, 2003 in the captioned application. Applicant respectfully requests that the Examiner consider Applicant's amendments and remarks as putting the claims in condition for allowance.

07/03/2003 MBERHE 00000023 041579 09301961
01 FC:1251 110.00 DA

Status of the Claims

Claims 1-20 are pending in this application prior to this amendment. All pending claims have been rejected. Claims 1-20 were rejected under 35 U.S.C §112 first paragraph; claims 3 and 11 were rejected under 35 U.S.C. §112, second paragraph. Claims 1, 2, 5 and 20 were rejected under 35 U.S.C §102(b) as being anticipated over *GOHFER*. Claims 13-19 were rejected under 35 U.S.C §103(a) as being unpatentable over *GOHFER* in view of *Linkov*. The Examiner has indicated that claims 3, 4 and 6-12 would be allowable once the rejections under 35 U.S.C §112 are overcome, and for the dependent claims, if further rewritten to include all the limitations of the base claim and any intervening claims .